

Order 2001-12-20

Served: December 27, 2001



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

Issued by the Department of Transportation
on the 27th day of December, 2001

Application of

**FLIGHT ALASKA, INC.
d/b/a YUTE AIR ALASKA**

for reissuance of its section 41102 certificate
to carry passengers

Docket OST-01-10427 - 8

**ORDER ISSUING EFFECTIVE CERTIFICATE
AND CONFIRMING ORAL ACTION**

Summary

By this order, we (1) confirm our oral action taken with respect to Flight Alaska, Inc. d/b/a Yute Air Alaska and (2) reissue to the carrier its certificate of public convenience and necessity to reflect the effective date of the scheduled passenger authority contained therein.

Background

By Order 2001-11-2, served November 8, 2001, the Department found that Flight Alaska, Inc. d/b/a Yute Air Alaska was fit to conduct interstate air transportation of passengers and reissued its certificate of public convenience and necessity to reflect this fitness determination.

The scheduled passenger authority granted by this certificate was to become effective on the sixth (business day) after we had received a copy of Flight Alaska's Air Carrier Certificate and Operations Specifications from the Federal Aviation Administration (FAA) authorizing it to engage in such operations.

On December 14, 2001, Flight Alaska submitted the required evidence of appropriate FAA authority and requested that we make the scheduled passenger authority contained in its certificate effective immediately. Our review of these documents found them to be satisfactory and, as a result, on December 17, 2001, we orally advised Flight Alaska that we were making the scheduled passenger authority contained in its certificate effective immediately. By this order, we confirm that action and reissue to Flight Alaska its section 41102 certificate to reflect the December 17, 2001, effective date of the scheduled passenger authority contained therein.

ACCORDINGLY: Acting under authority assigned by the Department in its regulations, 14 CFR 385.12:

1. We confirm our oral action of December 17, 2001, making the scheduled passenger authority contained in the section 41102 certificate issued to Flight Alaska, Inc. d/b/a Yute Air Alaska effective on that same date.
2. We reissue to Flight Alaska, Inc. d/b/a Yute Air Alaska the section 41102 certificate issued to it by Order 2001-11-2 to reflect this effective date.
3. We will serve a copy of this order on the persons listed in Attachment A.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.30, may file their petitions within 10 days of the service date of this order.

This order shall be effective immediately and the filing of a petition for review shall not alter its effectiveness.

By:

RANDALL D. BENNETT
Director
Office of Aviation Analysis

(SEAL)

*An electronic version of this document is available on the World Wide Web at:
<http://dms.dot.gov>*



**Certificate of Public Convenience and Necessity
for
Interstate Air Transportation
(as reissued)**

This Certifies That

**FLIGHT ALASKA, INC.
d/b/a YUTE AIR ALASKA**

is authorized, subject to the provisions of Subtitle VII of Title 49 of United States Code, the orders, rules, and regulations issued thereunder, and the attached Terms, Conditions, and Limitations, to engage in interstate air transportation of persons, property, and mail.

This Certificate is not transferable without the approval of the Department of Transportation.

By Direction of the Secretary

*Issued by Order 2001-12-20
On December 27, 2001
Effective on (see attached)*

*Randall D. Bennett
Director
Office of Aviation Analysis*

**As reissued by
Order 2001-12-20
Attachment*



Terms, Conditions, and Limitations

**FLIGHT ALASKA, INC.
d/b/a YUTE AIR ALASKA**

is authorized to engage in interstate air transportation of persons, property, and mail between any point in any State, territory, or possession of the United States or the District of Columbia, and any other point in any of those entities.

This authority is subject to the following provisions:

- (1) The holder shall at all times conduct its operations in accordance with the regulations prescribed by the Department of Transportation for the services authorized by this certificate, and with such other reasonable terms, conditions, and limitations as the Department of Transportation may prescribe in the public interest.*
- (2) The holder's authority to perform interstate scheduled transportation of property and mail became effective on April 17, 2000. The holder's authority to perform on-demand passenger air transportation became effective on November 7, 2001. The holder's authority to perform scheduled passenger air transportation became effective on December 17, 2001.*
- (3) The holder's authority is limited to operations conducted pursuant to Part 135 of the Federal Aviation Regulations. In the event that the holder wishes to institute operations that would require Part 121 certification from the FAA, it must first be determined fit for such operations.*
- (4) The holder's authority is effective only to the extent that such operations are also authorized by the FAA, and comply with all FAA requirements concerning security.*
- (5) The holder shall at all times remain a "Citizen of the United States" as required by 49 U.S.C. 40102(a)(15).*

**This certificate is being reissued to reflect the effective date for scheduled passenger operations.*

(6) *The holder shall maintain in effect liability insurance coverage as required under 14 CFR Part 205. Failure to maintain such insurance coverage will render a certificate ineffective, and this or other failure to comply with the provisions of Subtitle VII of Title 49 of the United States Code or the Department's regulations shall be sufficient grounds to revoke this certificate.*

(7) *The holder may reduce or terminate service at any point or between any two points, subject to compliance with the provisions of 49 U.S.C. 41734 and all orders and regulations issued by the Department of Transportation under that section.*

(8) *The holder may not provide scheduled passenger air transportation to or from Dallas (Love Field), Texas, except within the limits set forth in section 29 of the International Air Transportation Competition Act of 1979, as amended by section 337 of the Department of Transportation and Related Agencies Appropriations Act, 1998.*

(9) *Should the holder propose any substantial changes in its ownership, management, or operations (as that term is defined in 14 CFR 204.2(l)), it must first comply with the requirements of 14 CFR 204.5.*

(10) *In the event that the holder ceases all operations for which is was found "fit, willing and able," its authority under this certificate shall be suspended under the terms of 14 CFR 204.7 and the holder may neither recommence nor advertise such operations unless its fitness to do so has been redetermined by the Department. Moreover, if the holder does not resume operations within one year of its cessation, its authority shall be revoked for dormancy.*

Attachment A

SERVICE LIST FOR FLIGHT ALASKA, INC.

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